

# **Exhibit A**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

NATIONAL CREDIT UNION  
ADMINISTRATION BOARD, etc.,

Plaintiff,

v.

MORGAN STANLEY & CO., et al.,

Defendants.

And other NCUA Actions.

Case No. 13-cv-6705 (DLC)  
Case No. 13-cv-6719 (DLC)  
Case No. 13-cv-6721 (DLC)  
Case No. 13-cv-6726 (DLC)  
Case No. 13-cv-6727 (DLC)  
Case No. 13-cv-6731 (DLC)  
Case No. 13-cv-6736 (DLC)

**UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS**

NATIONAL CREDIT UNION  
ADMINISTRATION BOARD, etc.,

Plaintiff,

v.

RBS SECURITIES, INC., f/k/a  
GREENWICH CAPITAL MARKETS, INC.,  
et al.,

Defendants.

And other NCUA Actions.

Case No. 11-cv-2340 & 2649 (JWL)  
Case No. 12-cv-2591 (JWL)  
Case No. 12-cv-2648 (JWL)  
Case No. 13-cv-2418 (JWL)

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

NATIONAL CREDIT UNION  
ADMINISTRATION BOARD, etc.,

Plaintiff,

v.

Case No. 11-cv-5887 (GW)  
Case No. 11-cv-6521 (GW)

RBS SECURITIES, INC., f/k/a  
GREENWICH CAPITAL MARKETS, INC.,  
et al.,

Defendants.

And other NCUA Action.

**STIPULATION AND AGREEMENT REGARDING PRODUCTION  
OF DEPOSITION TRANSCRIPTS IN  
NATIONAL CREDIT UNION ADMINISTRATION BOARD V. SIRAVO**

WHEREAS, Defendants have requested the deposition transcripts and exhibits from the lawsuit entitled *National Credit Union Administration Board v. Siravo, et al.*, CV10-01597 (C.D. Cal.) (“Siravo”);

WHEREAS, paragraph 10(d) of the Master Discovery Protocol provides, among other things, that certain transcripts of testimony and exhibits “shall be treated as if taken in the Actions” and that “[t]he parties shall endeavor to not subject witnesses to the same questioning for which a transcript was previously provided”;

WHEREAS, Defendants’ position is that the *Siravo* case is not an “RMBS matter” as that term is used in Paragraph 10(d) of the Master Discovery Protocol, this stipulation does not operate as a concession otherwise, and Defendants should not be required to produce transcripts

of testimony and exhibits taken in actions other than from RMBS matters as specified in Paragraph 10(d) of the Master Discovery Protocol; and

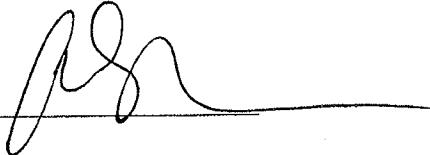
WHEREAS, NCUA's position is that Defendants should produce similar materials from matters involving RMBS in which Defendants or one of their officers or employees was a party, and reserves the right to seek such materials pending completion of the parties' meet and confer discussions.

NOW THEREFORE, the Parties hereby stipulate, through their attorneys of record, that the deposition transcripts and exhibits from the *Siravo* matter shall be deemed to be produced pursuant to, and subject to the provisions of, paragraph 10(d) of the Master Discovery Protocol.

The Parties hereby further stipulate that NCUA shall produce such transcripts on or before December 10, 2014.

Dated: December 2, 2014

Respectfully submitted,

By: 

Erik Haas  
Peter W. Tomlinson  
Philip R. Forlenza  
Henry J. Ricardo  
PATTERSON BELKNAP WEBB & TYLER  
LLP  
1133 Avenue of the Americas  
New York, NY 10036  
Tel: (212) 336-2000  
Fax: (212) 336-2222  
ehaas@pbwt.com  
pwtomlinson@pbwt.com  
prforlenza@pbwt.com  
hjricardo@pbwt.com

George A. Zelcs  
KOREIN TILLERY LLC  
205 North Michigan Avenue, Suite 1950  
Chicago, IL 60601  
Tel: (312) 641-9750  
Fax: (312) 641-9751  
gzelcs@koreintillery.com

Stephen M. Tillery  
Greg G. Gutzler  
Robert L. King  
KOREIN TILLERY LLC  
505 North Seventh Street, Suite 3600  
St. Louis, MO 63101  
Tel: (314) 241-4844  
Fax: (314) 241-3525  
stillery@koreintillery.com  
ggutzler@koreintillery.com  
rking@koreintillery.com

David C. Frederick  
Wan J. Kim  
Gregory G. Rapawy  
Andrew C. Shen  
KELLOGG, HUBER, HANSEN, TODD,  
EVANS & FIGEL, P.L.L.C.  
Sumner Square  
1615 M Street, N.W., Suite 400  
Washington, D.C. 20036  
Tel: (202) 326-7900  
Fax: (202) 326-7999  
dfrederick@khhte.com  
wkim@khhte.com  
grapawy@khhte.com  
ashen@khhte.com

David H. Wollmuth  
Frederick R. Kessler  
Steven S. Fitzgerald  
Ryan A. Kane  
WOLLMUTH MAHER & DEUTSCH LLP  
500 Fifth Avenue, 12th Floor  
New York, NY 10110  
Tel: (212) 382-3300  
Fax: (212) 382-0050  
dwollmuth@wmd-law.com  
fkessler@wmd-law.com  
sfitzgerald@wmd-law.com  
rkane@wmd-law.com

*Attorneys for Plaintiff National Credit Union Administration Board*

By: Pamela

James P. Rouhandeh  
Paul S. Mishkin  
Daniel J. Schwartz  
Scott Wilcox  
DAVIS POLK & WARDWELL LLP  
450 Lexington Avenue  
New York, New York 10017  
Tel: (212) 450-4000  
Fax: (212) 701-5800  
rouhandeh@davispolk.com  
paul.mishkin@davispolk.com  
daniel.schwartz@davispolk.com  
scott.wilcox@davispolk.com

John W. Shaw KS #70091  
Thomas P. Schult KS #70463  
Jennifer B. Wieland KS #22444  
BERKOWITZ OLIVER WILLIAMS SHAW &  
EISENBRANDT LLP  
2600 Grand Boulevard, Suite 1200  
Kansas City, Missouri 64108  
Tel: (816) 561-7007  
Fax: (816) 561-1888

*Counsel for Defendants Morgan Stanley & Co., Incorporated (n/k/a Morgan Stanley & Co. LLC) and Morgan Stanley Capital I Inc.*

By: \_\_\_\_\_

Jay B. Kasner  
Scott D. Musoff  
Gary J. Hacker  
SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM LLP  
Four Times Square  
New York, NY 10036  
Tel: (212) 735-3000  
Fax: (212) 735-2000  
scott.musoff@skadden.com  
jay.kasner@skadden.com  
gary.hacker@skadden.com

John W. Shaw KS #70091  
Thomas P. Schult KS #70463  
Jennifer B. Wieland KS #22444  
BERKOWITZ OLIVER WILLIAMS SHAW &  
EISENBRANDT LLP  
2600 Grand Boulevard, Suite 1200  
Kansas City, Missouri 64108  
Tel: (816) 561-7007  
Fax: (816) 561-1888

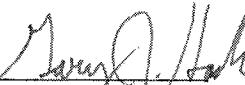
*Attorneys for Defendant UBS Securities LLC*

By: \_\_\_\_\_

James P. Rouhandeh  
Paul S. Mishkin  
Daniel J. Schwartz  
Scott Wilcox  
DAVIS POLK & WARDWELL LLP  
450 Lexington Avenue  
New York, New York 10017  
Tel: (212) 450-4000  
Fax: (212) 701-5800  
rouhandeh@davispolk.com  
paul.mishkin@davispolk.com  
daniel.schwartz@davispolk.com  
scott.wilcox@davispolk.com

John W. Shaw KS #70091  
Thomas P. Schult KS #70463  
Jennifer B. Wieland KS #22444  
BERKOWITZ OLIVER WILLIAMS SHAW &  
EISENBRANDT LLP  
2600 Grand Boulevard, Suite 1200  
Kansas City, Missouri 64108  
Tel: (816) 561-7007  
Fax: (816) 561-1888

*Counsel for Defendants Morgan Stanley & Co., Incorporated (n/k/a Morgan Stanley & Co. LLC) and Morgan Stanley Capital I Inc.*

By: 

Jay B. Kasner  
Scott D. Musoff  
Gary J. Hacker  
SKADDEN, ARPS, SLATE, MEAGHER  
& FLOM LLP  
Four Times Square  
New York, NY 10036  
Tel: (212) 735-3000  
Fax: (212) 735-2000  
scott.musoff@skadden.com  
jay.kasner@skadden.com  
gary.hacker@skadden.com

John W. Shaw KS #70091  
Thomas P. Schult KS #70463  
Jennifer B. Wieland KS #22444  
BERKOWITZ OLIVER WILLIAMS SHAW &  
EISENBRANDT LLP  
2600 Grand Boulevard, Suite 1200  
Kansas City, Missouri 64108  
Tel: (816) 561-7007  
Fax: (816) 561-1888

*Attorneys for Defendant UBS Securities LLC*

By: Hank Shear

David H. Fry (*pro hac vice*)  
Christian K. Wrede (*pro hac vice*)  
Hannah E. Shearer (*pro hac vice*)  
MUNGER TOLLES & OLSON LLP  
560 Mission Street, 27th Floor  
San Francisco, CA 94105  
Tel: (415) 512-4000  
Fax: (415) 512-4077  
david.fry@mto.com  
christian.wrede@mto.com

Andrew W. Goldwater  
FRIEDMAN KAPLAN SEILER &  
ADELMAN LLP  
7 Times Square  
New York, NY 10036  
Tel: (212) 833-1100  
Fax: (212) 833-1250  
agoldwater@fklaw.com

By: W. Perry Brandt

W. Perry Brandt KS #77842  
Jeffrey J. Kalinowski (*pro hac vice*)  
Richard H. Kuhlman (*pro hac vice*)  
BRYAN CAVE LLP  
One Kansas City Place  
1200 Main Street  
Kansas City, Missouri 64105  
Telephone: (816) 374-3200  
Facsimile: (816) 374-330  
One Metropolitan Square  
211 N. Broadway, Suite 3600  
St. Louis, Missouri 63102  
Telephone: (314) 259-2000  
Facsimile: (314) 259-2020

*Attorneys for Defendant Wachovia Capital Markets, LLC, n/k/a Wells Fargo Securities, LLC*

By: David I. Horowitz 158

R. Alexander Pilmer  
David I. Horowitz  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, NY 10022  
Tel: (212) 446-4806  
Fax: (212) 446-6460  
alexander.pilmer@kirkland.com  
david.horowitz@kirkland.com

Mikel L. Stout, KS #05811  
mstout@foulston.com  
Jeffery A. Jordan, KS #12574  
jjordan@foulston.com  
FOULSTON SIEFKIN LLP  
1551 N. Waterfront Parkway, Suite 100  
Wichita, KS 67206-4466  
Telephone: (316) 267-6371  
Facsimile: (316) 267-6345

*Attorneys for Defendants RBS Securities Inc., f/k/a Greenwich Capital Markets, Inc., RBS Acceptance Inc., f/k/a Greenwich Capital Acceptance Inc., and Financial Asset Securities Corp.*

By: \_\_\_\_\_

David H. Braff  
Jeffrey T. Scott  
Joshua Fritsch  
SULLIVAN & CROMWELL LLP  
125 Broad Street New York, NY 10004  
Tel: (212) 558-4000 Fax: (212) 558-3588 braffd@sullcrom.co  
scottj@sullcrom.com  
fritschj@sullcrom.com

*Attorneys for Defendant Barclays Capital Inc.*

By: \_\_\_\_\_

David H. Fry (*pro hac vice*)  
Christian K. Wrede (*pro hac vice*)  
Hannah E. Shearer (*pro hac vice*)  
MUNGER TOLLES & OLSON LLP  
560 Mission Street, 27th Floor  
San Francisco, CA 94105  
Tel: (415) 512-4000  
Fax: (415) 512-4077  
david.fry@mto.com  
christian.wrede@mto.com

Andrew W. Goldwater  
FRIEDMAN KAPLAN SEILER &  
ADELMAN LLP  
7 Times Square  
New York, NY 10036  
Tel: (212) 833-1100  
Fax: (212) 833-1250  
agoldwater@fklaw.com

By: \_\_\_\_\_

W. Perry Brandt KS # 77842  
Jeffrey J. Kalinowski (*pro hac vice*)  
Richard H. Kuhlman (*pro hac vice*)  
BRYAN CAVE LLP  
One Kansas City Place  
1200 Main Street  
Kansas City, Missouri 64105  
Telephone: (816) 374-3200  
Facsimile: (816) 374-330  
One Metropolitan Square  
211 N. Broadway, Suite 3600  
St. Louis, Missouri 63102  
Telephone: (314) 259-2000  
Facsimile: (314) 259-2020

*Attorneys for Defendant Wachovia Capital Markets, LLC, n/k/a Wells Fargo Securities, LLC*

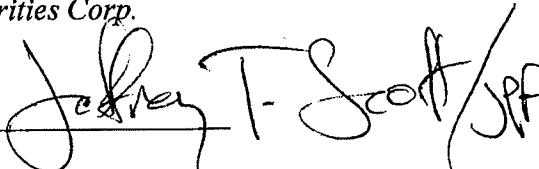
By: \_\_\_\_\_

R. Alexander Pilmer  
David I. Horowitz  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, NY 10022  
Tel: (212) 446-4806  
Fax: (212) 446-6460  
alexander.pilmer@kirkland.com  
david.horowitz@kirkland.com

Mikel L. Stout, KS #05811  
mstout@foulston.com  
Jeffery A. Jordan, KS #12574  
jjordan@foulston.com  
FOULSTON SIEFKIN LLP  
1551 N. Waterfront Parkway, Suite 100  
Wichita, KS 67206-4466  
Telephone: (316) 267-6371  
Facsimile: (316) 267-6345

*Attorneys for Defendants RBS Securities Inc., f/k/a Greenwich Capital Markets, Inc., RBS Acceptance Inc., f/k/a Greenwich Capital Acceptance Inc., and Financial Asset Securities Corp.*

By: \_\_\_\_\_

  
David H. Bruff  
Jeffrey T. Scott  
Joshua Fritsch  
SULLIVAN & CROMWELL LLP  
125 Broad Street New York, NY 10004  
Tel: (212) 558-4000 Fax: (212) 558-3588 braffd@sullcrom.  
scottj@sullcrom.com  
fritschj@sullcrom.com

*Attorneys for Defendant Barclays Capital Inc.*

By: Stephanie G Wheeler

Richard H. Klapper  
Stephanie G. Wheeler  
Peter A. Steciuk  
Mark S. Geiger  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, NY 10004  
Tel: (212) 558-4000  
Fax: (212) 558-3588  
klapperr@sullcrom.com  
wheelers@sullcrom.com  
steciukp@sullcrom.com  
geigerm@sullcrom.com

*Attorneys for Defendants Goldman, Sachs & Co. and GS Mortgage Securities Corp.*

By: \_\_\_\_\_

Richard W. Clary  
Michael T. Reynolds  
Lauren A. Moskowitz  
CRAVATH, SWAINE & MOORE LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
Phone: (212) 474-1000  
Fax: (212) 474-3700  
rclary@cravath.com  
mreynolds@cravath.com  
lmoskowitz@cravath.com

Toby Crouse (Kan. #20030)  
James D. Oliver (Kan. #08604)  
FOULSTON SIEFKIN LLP  
32 Corporate Woods, Suite 600  
9225 Indian Creek Pkwy.  
Overland Park, KS 66210-2000  
Phone: (913) 498-2100  
Fax: (913) 498-2101  
Email: tcrouse@foulston.com

*Attorneys for Defendants Credit Suisse  
Securities (USA) LLC and Credit Suisse First  
Boston Mortgage Securities Corp.*

By: \_\_\_\_\_

Richard H. Klapper  
Stephanie G. Wheeler  
Peter A. Steciuk  
Mark S. Geiger  
**SULLIVAN & CROMWELL LLP**  
125 Broad Street  
New York, NY 10004  
Tel: (212) 558-4000  
Fax: (212) 558-3588  
klapperr@sullcrom.com  
wheelers@sullcrom.com  
steciukp@sullcrom.com  
geigerm@sullcrom.com

*Attorneys for Defendants Goldman, Sachs & Co. and GS Mortgage Securities Corp.*

By: 

Richard W. Clary  
Michael T. Reynolds  
Lauren A. Moskowitz  
**CRAVATH, SWAINE & MOORE LLP**  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019  
Phone: (212) 474-1000  
Fax: (212) 474-3700  
rclary@cravath.com  
mreynolds@cravath.com  
lmoskowitz@cravath.com

Toby Crouse (Kan. #20030)  
James D. Oliver (Kan. #08604)  
**FOULSTON SIEFKIN LLP**  
32 Corporate Woods, Suite 600  
9225 Indian Creek Pkwy.  
Overland Park, KS 66210-2000  
Phone: (913) 498-2100  
Fax: (913) 498-2101  
Email: tcrouse@foulston.com

*Attorneys for Defendants Credit Suisse Securities (USA) LLC and Credit Suisse First Boston Mortgage Securities Corp.*

By: Barbara S. Steiner

Barbara S. Steiner (*pro hac vice* in Kansas and California)  
Matthew J. Thomas (*pro hac vice* in Kansas and California)  
JENNER & BLOCK LLP  
353 N. Clark St.  
Chicago, IL 60654  
Phone: 312-923-2611  
Fax: 312-840-7611

Michael Thompson KS # 70196  
Faiza Bergquist KS # 24525  
HUSCH BLACKWELL LLP  
4801 Main Street, Suite 1000  
Kansas City, Missouri 64112  
(816) 983-8000 Telephone  
(816) 983-8080 Facsimile  
[Michael.Thompson@huschblackwell.com](mailto:Michael.Thompson@huschblackwell.com)  
[Faiza.Bergquist@huschblackwell.com](mailto:Faiza.Bergquist@huschblackwell.com)

*Attorneys for Defendant Nomura Home Equity  
Loan, Inc.*

By: William F. Alderman

William F. Alderman  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
The Orrick Building  
405 Howard Street  
San Francisco, CA 94105  
Tel: (415) 773-5700 Fax: (415) 773-5759  
[walderman@orrick.com](mailto:walderman@orrick.com)

Michael Thompson KS # 70196  
Faiza Bergquist KS # 24525  
HUSCH BLACKWELL LLP  
4801 Main Street, Suite 1000  
Kansas City, Missouri 64112  
(816) 983-8000 Telephone  
(816) 983-8080 Facsimile  
[Michael.Thompson@huschblackwell.com](mailto:Michael.Thompson@huschblackwell.com)  
[Faiza.Bergquist@huschblackwell.com](mailto:Faiza.Bergquist@huschblackwell.com)

*Attorneys for Defendant Novastar Mortgage  
Funding Corporation*